

Article - Health Occupations

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§6–303.

(a) In this section, “Central Repository” means the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.

(b) As part of an application to the Central Repository for a State and national criminal history records check, an applicant shall submit to the Central Repository:

(1) One complete set of legible fingerprints taken on a form approved by the Director of the Central Repository and the Director of the Federal Bureau of Investigation;

(2) The fee authorized under § 10–221(b)(7) of the Criminal Procedure Article for access to State criminal history records; and

(3) The processing fee required by the Federal Bureau of Investigation for a national criminal history records check.

(c) (1) In accordance with §§ 10–201 through 10–228 of the Criminal Procedure Article, the Central Repository shall forward to the Board and to the applicant the criminal history record information of the applicant.

(2) If criminal history record information is reported to the Central Repository after the date of the initial criminal history records check, the Central Repository shall provide to the Board a revised printed statement of the individual’s State criminal history record.

(d) If an applicant has made three or more unsuccessful attempts at securing legible fingerprints, the Board may accept an alternate method of a criminal history records check as permitted by the Director of the Central Repository and the Director of the Federal Bureau of Investigation.

(e) Information obtained from the Central Repository under this section:

(1) Is confidential and may not be disseminated; and

(2) May be used only for the licensing or registration purpose authorized by this title.

(f) The subject of a criminal history records check under this section may contest the contents of the printed statement issued by the Central Repository as provided in § 10-223 of the Criminal Procedure Article.

(g) In using information obtained from the Central Repository under this section to determine whether to issue a license or registration, the Board shall consider:

- (1) The age at which the crime was committed;
- (2) The nature of the crime;
- (3) The circumstances surrounding the crime;
- (4) The length of time that has passed since the crime was committed;
- (5) Subsequent work history;
- (6) Employment and character references; and
- (7) Other evidence that demonstrates whether the applicant poses a threat to the public health or safety.

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